

**MINUTES OF THE REGULAR MEETING OF THE
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA
NOVEMBER 20, 2012**

A meeting of the Common Council of the City of Jasper, Indiana, was held on Tuesday, November 20, 2012, in the Council Chambers of City Hall located at 610 Main Street, Jasper, Indiana.

Call to Order. Presiding Officer Mayor Terry Seitz called the meeting to order at 7:00 p.m.

Roll Call.

Clerk-Treasurer Juanita S. Boehm called the roll.

Mayor Terry Seitz	Present
Council members:	
Gregory Schnarr	Present
David Prechtel	Present
Thomas Schmidt	Present
Earl Schmitt	Present
Kevin Manley	Present
Randall Buchta	Present
Raymond Howard	Present
City Attorney Renee Kabrick	Present
Clerk-Treasurer Juanita S. Boehm	Present

Clerk-Treasurer Boehm announced that in order to have a quorum for the meeting, a majority of the council members must be in attendance. All of the seven council members were in attendance; therefore, there was a quorum for the meeting.

Pledge of Allegiance. Mayor Seitz invited all present to join him in reciting the Pledge of Allegiance.

Approval of the Minutes.

The following minutes were distributed to and examined by the Council:

1. October 17, 2012, regular Common Council meeting
2. November 15, 2012 executive session memorandum

A **motion** was made by Council member David Prechtel and seconded by Council member Earl Schmitt to approve both sets of minutes as presented. Motion carried 7-0.

Utility Service Board. General Manager of Utilities Gerald 'Bud' Hauersperger gave a report on the regular monthly Utility Service Board meeting held on November 19, 2012. Copies of the minutes are supplied to each council member.

Ordinance No. 2012-31 AN ORDINANCE FIXING A SCHEDULE OF REVISED RATES AND CHARGES COLLECTED BY THE CITY OF

JASPER, INDIANA, FROM THE OWNERS OF PROPERTY SERVED BY THE SEWAGE WORKS OF SAID CITY, AND OTHER MATTERS CONNECTED THEREWITH

This ordinance revises the wastewater rates and charges and will be applied to billings after March 1, 2013.

General Manager of Utilities Gerald 'Bud' Hauersperger said, after a rate study was performed, the Utility Service Board is recommending a 9.5% increase in the wastewater rates that will be applied to billings after March 1, 2013. The last rate increase was in 2008. Even after the increase, the City of Jasper's rates are still the lowest rates around the area.

A motion was made by Council member Gregory Schnarr and seconded by Council member Kevin Manley to have the ordinance read by title only on first reading. Motion carried 7-0. City Attorney Renee Kabrick so read the ordinance. Thereafter, a motion was made by Council member David Prechtel and seconded by Council member Thomas Schmidt to approve the ordinance on first reading. Motion carried 7-0.

Under discussion General Manager of Utilities Gerald 'Bud' Hauersperger said the plant is twenty years old and more maintenance is needed.

Court of Appeals update. Bill Kaiser, the City's attorney regarding the power plant issue, said the Court of Appeals issued a decision granting a new trial. The original trial involved allegations of violations of the Indiana Open Door Law. In its ruling, the Court of Appeals ordered that the City comply with prior discovery requests that were made by Healthy Dubois County and the Court of Appeals ordered a new trial. It was noted that the appeal did not address any substantive allegations of Open Door Law violation, but was instead based solely on procedural mistakes that occurred during the trial. Kaiser said the City will comply with the court's order regarding discovery and will prepare for trial.

Economic Development Commission report. Since the City has considered several tax abatement applications in the past year, Andy Seger, president of the Economic Development Commission [EDC], gave a report on such things as how the tax abatement process is going, the role of the EDC, how the board applies the guidelines outlined in the ordinance, and how it makes recommendations to the Council. He also commented on the importance of tax incentives. Seger said since five businesses have submitted applications over the past year, he welcomes the opportunity to discuss how the process is going and review the ordinance. Council member Kevin Manley said he and Council member David Prechtel were on the original group that worked on the tax abatement ordinance. He further commented that when the ordinance was originally crafted, the group intended to revisit its working after one year. Manley said if a meeting is scheduled to review the ordinance, he would like to attend.

Kimball Hospitality Inc tax abatement application. Dean Vonderheide, Vice President of Operations for Kimball International, introduced Kimball Hospitality representatives Tony Ferguson and Ruth Goepfrich. Kimball Hospitality Inc submitted a personal property tax abatement application that has been reviewed by the Economic Development Commission. Vonderheide gave a power point presentation on their proposed project. He said Kimball Hospitality is an international business. Currently their 16th Street building is at 30% capacity and they want to expand. This building is one of three sites being considered. He said they plan to invest approximately \$1.65 million in manufacturing equipment and add twenty positions if the tax abatement application is approved.

Resolution No. 2012-17 A RESOLUTION OF THE COMMON COUNCIL DESIGNATING A PORTION OF THE CITY OF JASPER, INDIANA, AS AN ECONOMIC REVITALIZATION AREA [Kimball Hospitality Inc]

This resolution designates an economic revitalization area for the tax abatement application submitted by Kimball Hospitality Inc.

A motion was made by Council member Thomas Schmidt and seconded by Council member Earl Schmitt to consider the resolution for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Gregory Schnarr and seconded by Council member David Prechtel to have the resolution read by title only. Motion carried 7-0. City Attorney Renee Kabrick so read the resolution. Thereafter, a motion was made by Council member Kevin Manley and seconded by Council member Gregory Schnarr to pass and adopt Resolution No. 2012-17. Motion carried 7-0.

Ordinance No. 2012-29 AN ORDINANCE TO TRANSFER APPROPRIATIONS FOR THE CITY OF JASPER, INDIANA, FOR THE REMAINDER OF THE FISCAL YEAR ENDING DECEMBER 31, 2012

This ordinance transfers 2012 appropriations from one line item to another within a department.

A motion was made by Council member Randall Buchta and seconded by Council member Gregory Schnarr to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Earl Schmitt and seconded by Council member David Prechtel to have the ordinance read by title only. Motion carried 7-0. City Attorney Renee Kabrick so read the ordinance. Thereafter, a motion was made by Council member David Prechtel and seconded by Council member Raymond Howard to pass and adopt Ordinance No. 2012-29. Motion carried 7-0.

Ordinance No. 2012-30 AN ORDINANCE APPROPRIATING ADDITIONAL MONEY FOR THE CITY OF JASPER, INDIANA, FOR THE REMAINDER OF THE FISCAL YEAR ENDING DECEMBER 31, 2012

This ordinance appropriates additional money to cover October-December PERF and police pension payments due in 2012.

A notice to taxpayers appeared in the Herald on November 8, 2012. Mayor Seitz asked for public comments. No comments were received.

A motion was made by Council member Thomas Schmidt and seconded by Council member Earl Schmitt to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member Gregory Schnarr and seconded by Council member Kevin Manley to have the ordinance read by title only. Motion carried 7-0. City Attorney Renee Kabrick so read the ordinance. Thereafter, a motion was made by Council member Kevin Manley and seconded by Council member Randall Buchta to pass and adopt Ordinance No. 2012-30. Motion carried 7-0.

Ordinance No. 2012-32 AN ORDINANCE AMENDING SECTION 4(2) OF ORDINANCE NO. 546, ENTITLED AN ORDINANCE PROVIDING FOR A UNIFORM CODE FOR TRAFFIC UPON THE PUBLIC STREETS OF THE CITY OF JASPER, INDIANA – PARKING PROHIBITED ON CERTAIN DESIGNATED STREETS

This ordinance prohibits parking on another portion of College Avenue. A request to prohibit this parking was made by Vincennes University Jasper Center.

A motion was made by Council member Earl Schmitt and seconded by Council member Thomas Schmidt to consider the ordinance for one reading only. Motion carried 7-0. Thereafter, a motion was made by Council member David Prechtel and seconded by Council member Gregory Schnarr to have the ordinance read by title only. Motion carried 7-0. City Attorney Renee Kabrick so read the ordinance. Thereafter, a motion was made by Council member Randall Buchta and seconded by Council member Earl Schmitt to pass and adopt Ordinance No. 2012-32. Motion carried 7-0.

Downtown Master Plan update. Mayor Seitz reported that companies are being interviewed to prepare a downtown Jasper master plan. The area in this master plan will include the former Jasper Cabinet property.

Moment of silence. A moment of silence was held for electric generation employee Greg Knies who recently passed away.

Council redistricting. Council member Kevin Manley asked about the status of the redistricting of the council districts that must be done by the end of 2012. City Attorney Renee Kabrick said maps containing the current and proposed district boundaries were distributed earlier. She will review guidelines that need to be followed and contact the council members.

Adjournment. There being no further business to come before the board, a motion was made by Council member Thomas Schmidt and seconded by Council member Randall Buchta to adjourn the meeting. The motion carried 7-0 and the meeting adjourned at 8:04 p.m.

The minutes were hereby approved _____ with X without corrections or clarification this 19th day of December, 2012.

Mayor Terry Seitz
Presiding Officer

Attest:

Juanita S. Boehm, Clerk-Treasurer